



Mayor Mike Spano

CITY OF YONKERS

Vincent Pici, P.E., M.P.A.
Commissioner

DEPARTMENT OF HOUSING AND BUILDINGS
87 Nepperhan Avenue, 5th Floor
Yonkers, NY 10701

Building Tel. 914.377.6500
Fax 914.377.6521

Housing Tel. 914.377.6536
Fax 914.377.6496

AGENDA FOR ZONING BOARD OF APPEALS

June 4, 2021 *revised

PLEASE TAKE NOTICE:

THE CITY OF YONKERS ZONING BOARD OF APPEALS MEETING SCHEDULED FOR TUESDAY, JUNE 15, 2021 AT 5:00 P.M. WILL BE CONDUCTED IN A MANNER PURSUANT TO GOVERNOR CUOMO'S EXECUTIVE ORDER 202.1; IN-PERSON ATTENDANCE AT THIS MEETING WILL NOT BE PERMITTED.

PLEASE CHECK THE WEBSITE WWW.YONKERSNY.GOV, THE DAY OF THE MEETING FOR LOG-IN AND ADDITIONAL INFORMATION.

DECISIONS

5660 –Area Variance – James G. Dibbini Esq., on behalf of Nepperhan Heights Associates, LLC, owner, on premises known as **540 Nepperhan Ave**, Block 2179, Lot: 25, Zone: I (B20584)

5661 –Area Variance – James G. Dibbini Esq., on behalf of Nepperhan Heights Associates, LLC, owner, on premises known as **578 Nepperhan Ave**, Block: 2179, Lot: 5, Zone: I (B20596)

5724 – Area Variance – Andrew Romano, Esq., on behalf of Orchard Street LLC, owner, on premises known as **125 Orchard Street**, Block: 2174, Lot: 101, Zone: A (B22298)

5732 – Area Variance – Shahin Badaly, P.E., on behalf of Oluwatosin Shokeye, owner, on premises known as **45 Elizabeth Place**, Block: 3075, Lot: 104, Zone: T (B22555)

5746– Area Variance – Jacob Schofield, owner, on behalf of himself, on premises known as **17 Livingston Avenue**, Block: 163, Lot: 54, Zone: M (B24021)

5749– Improvement to a Non-Conforming Use – Andrew Romano, Esq., on behalf of CSAR Holding LLC, owner, on premises known as **782 North Broadway**, Block: 3021, Lot: 5, Zone: S-50 (B26664)

CONTINUED HEARINGS

5715 – Area Variance – Tom F. Abillama, R.A., on behalf of 1969 Central Park Avenue LLC, owner, to construct a self-storage center with retail on ground floor, having:

- *Exceeding maximum FAR. Ref. 43-27, Table 43-3 (required 1.5, proposed 2.13);*
- *Exceeding maximum building height. Ref. 43-27, Table 43-3 (required 48 ft., proposed 73.14 ft.);*
- *Insufficient rear yard. Ref. 43-27, Table 43-3 (required 25 ft., proposed zero ft.);*
- *Insufficient side yard. Ref. 43-27, Table 43-3. (required 25 ft. one side, proposed zero ft. one side);*
- *Parking in the minimum side-front yard not permitted. Ref. 43-133.A.(3);*
- *Parking in the minimum front yard not permitted. Ref. 43-133.A.(3);*
- *Insufficient retail store depth. Ref. 43-36.M.(1). (required 60 ft., proposed 28 ft. /- scaled);*
- *Insufficient loading zone spaces for self-storage warehouse. Ref. 43-36.M.(2). (required 7 for storage, proposed 2 for storage);*
- *Parking within 5 ft. of a property line not permitted. Ref. 43-44.B.(5)(proposed zero ft.);*
- *Insufficient parking aisle width. Ref. 43-134.A.12. (required 24 ft., proposed 20 ft. /- scaled);*
- *Refuse Area not permitted in side-front yard. Ref. 43-42.C.(1);*
- *Exceeding maximum height of retaining wall/building wall. Ref. 43-41.D.3.a. (required 6 ft., proposed 69 ft.);*

on premises known as **1969 Central Park Avenue**, Block: 4385, Lot: 206, Zone: BR (B19994)

#5716 – Improvement to a Non-Conforming Use – Gibbons Engineering, PC, on behalf of 687 Nepperhan Corp, owner, for 2nd floor interior alteration, including the removal of stairs and closing of stair opening, whereas:

- *Improvement to a non-conforming use requires Zoning Board of Appeals approval per Section 43-21G (residences in an industrial zone);*

on premises known as **687 Nepperhan Avenue**, Block: 2420, Lot: 12, Zone: I (B22644)

5727 – Area Variance – Andrew Maniglia of Ginsburg Development, on behalf of Pier LLC 70, owner, on premises known as **70 Pier Street**, Block: 146, Lot: 1.4, Zone: M (B24085)

5730 – Area Variance – James J. Veneruso, Esq., on behalf of 2700 Central Park Avenue Partners LLC, owner, on premises known as **2592 (2700) Central Park Avenue**, Block: 4877, Lot: 60, Zone: BR (B24536)

5740– Area Variance – Janet J. Giris, Esq., Esq., on behalf of N Broadway LLC, owner, on premises known as **316 North Broadway & 315 Palisade Avenue**, Block: 2155, Lot: 59 & 16, Zone: M (B22920)

5741– Improvement to a Non-Conforming Use & Area Variance – Jennifer Porter, Esq., on behalf of Silver Bell Company, owner, & JP Morgan Chase Bank, N.A., lessee, on premises known as **1222 Nepperhan Avenue**, Block: 3182, Lot: 15, Zone: I (B22243)

5743– Area Variance – David Steinmetz, Esq., on behalf of Miroza Tower LLC, owner, on premises known as **40 aka 44 Hudson Street**, Block: 502, Lot: 1.10, Zone: DWD (B26744)

5744– **Area Variance** – Andrew Romano, Esq., on behalf of Martin J. Loftus, Jr., owner, on premises known as **118 Kingsley Drive**, Block: 4412, Lot: 54, Zone: S-60 (B22712)

5745– **Area Variance** – Andrew Romano, Esq., on behalf of Croton Terrace Enterprises Inc., owner, on premises known as **14 Orchard Street**, Block: 2076, Lot: 17, Zone: MG (B22842)

5747– **Area Variance** – William S. Null, Esq., on behalf of Parkview Equities LLC, owner, on premises known as **15 Parkview Avenue**, Block: 5652, Lot: 43, Zone: A (B27258)

5748– **Area Variance** – Andrew Romano, Esq., on behalf of Smerlin Cuello, owner, on premises known as **212 Warburton Avenue**, Block: 2097, Lot: 60, Zone: M (B23151)

NEW HEARINGS

5736– **Area Variance** – James J. Veneruso, Esq., on behalf of 26 West 5th Street LLC, contract vendee, to construct a new 4 story, 24 unit residential rental apartment building with onsite parking, having:

- *Exceeding maximum permitted floor area ratio, Section 43-27, Table 43-3 (required 1.25, proposed 1.79);*
- *Insufficient side yard, Section 43-27, Table 43-3 (required 12'/25', proposed 4'/8');*
- *Insufficient front yard, Section 43-27, Table 43-3 (required 15', proposed 5');*
- *Insufficient rear yard Section 43-27, Table 43-3 (required 25', proposed 1.5');*
- *Exceeding Maximum permitted building coverage 43-27, Table 43-3 (required 40 %, proposed 84.42 %);*

on premises known as **83-94 Vineyard Avenue**, Block: 2170, Lot: 84 (78, 82), Zone: M (B23753)

5750– **Area Variance** – Randolph Carter, R.A., on behalf of The Church of Jesus Christ of Latter-Day Saints, owner, for construction of a church, having:

- *Insufficient side yard, Section 43-27, Table 43-3 and 43-35.C (required 50 ft., proposed 25 ft.);*
- *Insufficient side-front yard, Section 43-27, Table 43-3 and 43-35.C (required 50 ft., proposed 25 ft.);*
- *Insufficient front yard, Section 43-27, Table 43-3 and 43-35.C (required 50 ft., proposed 25 ft.);*
- *Parking within 5 feet of all property lines not permitted, Reference Yonkers Zoning Ordinance 43-44.A.9.b. (proposed 4' -4" on North side);*
- *Parking within 10 feet of a building on the same lot is not permitted, Reference Yonkers Zoning Ordinance 43-44.A.9.b. (proposed 6.0 ft.);*
- *Parking in the side-front yard not permitted. Ref. 43-138.A.(2). (spaces 1, 2, 3, 28, 29, 30, 27, 26, 25);*
- *Parking within 10 ft. of the right of way of a public street not permitted. Ref. 43-134.A.(4). (Proposed 3.5 ft. on the South driveways);*
- *Fences and walls, including retaining walls, must not exceed 4 feet in height in a required front yard setback or in any other required yard setback abutting a street and 6 feet in height within any other required yard setback (Reference Yonkers Zoning Ordinance 43-41.D.3.a) (proposed height Unknown);*
- *Exceeding maximum permitted steeple height. Ref. 43-35.C.(6). (required 48 ft. max, proposed height unknown);*

on premises known as **201 Glenwood Avenue aka 176 Park Avenue**, Block: 2161, Lot: 39, Zone: MG (B27042)

5751– **Non-Conforming Use** – Stephen A. Veneruso, Esq, on behalf of 155 Warburton Ave Realty LLC, owner, for the conversion of a building to a two family residence, whereas:

- *Change of use of a vacant building to a non-conforming in a CM zone requires a zoning variance;*

on premises known as **155 Warburton Avenue**, Block: 2099, Lot: 13, Zone: CM (B24278)

5752– **Area Variance** – Andrew Romano, Esq., on behalf of AR Consulting Engineer PC, owner, to construct a new two family dwelling, having:

- *Insufficient front-yard, Section 43-27, Table 43-3 (required 20 ft., proposed 9 ft.);*

on premises known as **50 Vineyard Avenue**, Block: 2078, Lot: 12, Zone: A (B23684)

5753– **Area Variance** – James G. Dibbini, Esq., on behalf of Monique Abrams, owner, for an addition to an existing one family dwelling, having:

- *Insufficient front yard setback. Ref. 43-27, Table 43-3 (required 29.50 ft., proposed 25.16 ft.);*

on premises known as **2 Stoneleigh Road**, Block: 4961, Lot: 47, Zone: S-100 (B26714)

5754– **Area Variance** – Andrew Romano, Esq., on behalf of Leonard Winstanley, owner, to apportion adjoining lot, having:

- *Insufficient lot width, proposed lot 56 (required 50 ft; proposed 42.45 ft., Ref Yonkers Zoning Ordinance 43-27, Table 43-3;*

on premises known as **44 (54) Shelburne Road**, Block: 3208, Lot: 54 & 56, Zone: S-50 (A1755)

OFF-AGENDA ITEMS

Case #5529	450 Walnut Street	Extension Request
Case #5692	1097 North Broadway	Extension Request
Case #5642	750 Central Park Avenue	Extension Request
Case #5637	25 Torre Place	Amend Condition
Case #5696	470 Nepperhan Avenue	Extension Request


JOSEPH CIANCIULLI
CHAIRMAN, ZBA

